

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGANShaun Nicholas Carson Moore

(Enter above the full name of the plaintiff(s), including prisoner number, in this action. If you cannot list all plaintiffs in the space provided, please write "see attached" and list all names on an additional page.)

FILED - GR

February 6, 2023 1:02 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY:JMW SCANNED BY: KB / 2/6

v.

Jason VANDyken, Kyle Rice,
James Mahoney, Kiffy Buchner,
Brad Baulk**1:23-cv-140****Ray Kent****U.S. Magistrate Judge**

(Enter above the full name of the defendant(s) in this action. If you cannot list all defendants in the space provided, please write "see attached" and list all names on an additional page.)

COMPLAINT
(Print Clearly)**I. Previous Lawsuits****CAUTION:** The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$402.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☒ No ☐
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

 2. Is the action still pending? Yes ☐ No ☒
 - a. If your answer was no, state precisely how the action was resolved: _____
 3. Did you appeal the decision? Yes ☐ No ☒
 4. Is the appeal still pending? Yes ☐ No ☒
 - a. If not pending, what was the decision on appeal? _____
 5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☒ No ☐
 - a. If so, explain: I was assaulted by an officer with
excessive force

II. Parties

A. Plaintiff(s)

Enter your name, place of confinement, address, and place of confinement during the events described in the complaint in the blanks below. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Shawn Moore

Place of Present Confinement Parnell (MDOC)

Address 1790 Parnell St Jackson MI 49201

Place of Confinement During Events Described in Complaint 650 E Main St St Joseph County Jail Centreville MI 49032

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. Provide the same information for each additional defendant. If there are more than six defendants attach extra sheets as necessary.

Name of Defendant #1 Jason Vandyken

Position or Title Officer

Place of Employment 650 E Main St St Joseph County Jail Centreville MI

Address 49032

Official and/or personal capacity? _____

Name of Defendant #2 Kyle Rice

Position or Title Officer

Place of Employment St Joseph County Jail

Address 650 E main St St Joseph County Centreville MI 49032

Official and/or personal capacity? _____

Name of Defendant #3 James Mahoney

Position or Title No longer works at St Joseph County Jail

Place of Employment Unknown

Address _____

Official and/or personal capacity? _____

Name of Defendant #4 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

Name of Defendant #5 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard ruled sheet of paper. There is no handwriting or other markings on the page.

ST. JOSEPH COUNTY SHERIFF'S OFFICE
STATEMENT FORM

Name	<u>Shawn N C Moore</u>	Date	<u>May 7, 2022</u>
	(first) (middle) (last)		
Address			
Telephone		Date of Birth	<u>3/19/1988</u>

I do swear or affirm that the information in the following statement is the truth to the best of my knowledge.

On May 7, 2022 I Shawn Moore made statements since 8:00 this morning I've requested to talk with the const Jim Haskins since the 26th of ~~April~~ I've complained about disrespectful behavior of disrespect coming from officer VANDUYKE I've tried several time to resolve the dispute but to no avail on today's date at about May 7 11:30 - 12:30 me and this officer exchanged words that led to utter disrespect that I could no longer contain my verbal aggression I then hit the emergency button and requested officer Rice to possibly get ahold of the situation as well as a Sgt. so that things wouldn't progress again I was ignored to my understanding and time went by at about 4:30 meal time officer VanDyke made gestures of disrespect saying things like I'm all talk and

Signature

Officer's Signature

ST. JOSEPH COUNTY SHERIFF'S OFFICE
STATEMENT FORM

Name	Shawn	N	C	Morris	Date	May 7 2022
	(first)		(middle)	(last)		
Address						
Telephone						
	Date of Birth				3/19/1985	

I do swear or affirm that the information in the following statement is the truth to the best of my knowledge.

that in a dussy so I commenced to walk
back at him slurs of disrespect. He made
my tree throw the shot I took it and
walked away and as I walked away I noticed
my tree hit a full serving as well as another
gods tree like the same he connected the other
inmate but not mine so I demanded to speak
to a Sgt I step up to the door set my tree
on the shot and requested to see a Sgt he then told
me remove my tree and I asked can you fix my
tree he stated remove my tree but I presumed
to move my tree and he slammed the slot door shut
causing it to jam my broken finger As he walked
away I immediately set my tree down and kicked the
door several times before I notice I broke

Signature

Officer's Signature

ST. JOSEPH COUNTY SHERIFF'S OFFICE
STATEMENT FORM

Name	<u>Shawn N C Moore</u>	Date	<u>May 7 2022</u>
	(first) (middle) (last)		
Address	_____		
Telephone	_____	Date of Birth	<u>3/9/1985</u>

I do swear or affirm that the information in the following statement is the truth to the best of my knowledge.

the whole incident I am nearest assault charges as I feel uncomfortable for my life for this is not the first attempt on my well being I ask that charges be sought out as well as a lawsuit I do not feel comfortable around St Joseph Countys first shift deputies or advisers

I Shawn Moore want to press charges of assault and strangulation against Officer

Shawn Moore

Signature

Officer's Signature

IV. Relief

State briefly and precisely what you want the court to do for you.

Put A full investigation on the 3 known assault charges done by the St Joseph county. Compensation for lost revenue and mental and emotional ^{instability caused} as well as physical assault compensation in the access of 1 to 2 million dollars to cover all bills and court fines and mental help counseling

V. Notice to Plaintiff Regarding Consent

In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, you are hereby notified that the United States magistrate judges of this district court may, upon your consent, conduct any or all proceedings in this case, including a jury trial and entry of a final judgment. If you consent, any appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Magistrate judges have greater flexibility in their schedules than district judges, who have heavy criminal caseloads that take priority over civil trials. Accordingly, the magistrate judges are generally able to schedule prisoner civil rights cases for jury trial much sooner, and they are able to provide firm trial dates. Magistrate judges are experienced trial judges who handle a great number of prisoner civil rights cases.

Your decision to consent to the dispositive jurisdiction of a United States magistrate is entirely voluntary. If you do not consent to a magistrate judge, the case will be randomly assigned to a district judge. The magistrate judge already assigned to this case would continue to decide all pretrial matters and would handle all dispositive motions by report and recommendation.

Please check **ONE** box below to indicate whether you voluntarily consent to proceed with a United States magistrate judge or if you would instead prefer that the case be assigned to a district judge.

- ☒ I hereby voluntarily consent to the United States magistrate judge conducting all proceedings in this case, including entry of a final judgment and all post-judgment matters.
- ☐ I request that this case be assigned to a district judge.

1-29-2023
Date

Shaun Moore
Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Prisoner Name: Shawn Moore
Prisoner Number: 5069110
PARNALL CORRECTIONAL FACILITY
1790 E. Parnall Rd.
Jackson, MI 49201-7139



US POSTAGESM PITNEY BOWES
ZIP 49201 \$ 000.84⁰
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US District Court
319 Federal Building
110 Michigan St NW
GRAND Rapids MI 49503

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